

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM H. BRANDSTATT,

Plaintiff,

v.

K. CLARK, et al.,

Defendants.

No. 1:21-cv-01600 KES GSA (PC)

ORDER GRANTING PLAINTIFF'S
REQUEST FOR EXTENSION OF TIME TO
FILE NOTICE ON HOW TO PROCEED

PLAINTIFF'S:

(1) NOTICE OF INTENT TO STAND ON
SCREENED FIRST AMENDED
COMPLAINT;

(2) FILING OF SECOND AMENDED
COMPLAINT, OR

(3) VOLUNTARY DISMISSAL OF THIS
MATTER DUE OCTOBER 2, 2025

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Plaintiff has filed a request for an extension of time to inform the Court whether he wishes to stand on his first amended complaint as screened; file a second amended complaint, or voluntarily dismiss this matter. ECF No. 31. Currently, his decision is due on September 17, 2025. See ECF No. 30 at 13 (8/27/25 screening order giving Plaintiff twenty-one days to make decision on how to proceed).

1 Plaintiff asks that he be given until October 2, 2025, to make his decision. In support of
2 the extension of time request Plaintiff states that he received the Court's screening order six days
3 after it was issued. ECF No. 31 at 1. In addition, he states that the prison law library's hours are
4 limited and he needs time to review the cases to which the Court has cited in the first amended
5 complaint in order to make an intelligent determination as to which of the three options he should
6 select. Id. Good cause appearing, Plaintiff's motion will be granted.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Plaintiff's motion for an extension of time either to stand on the first amended
9 complaint; file an amended complaint, or voluntarily dismiss this action (ECF No. 31) is
10 GRANTED, and

11 2. Plaintiff shall take one of the three courses of action no later than October 2, 2025.

12 **Plaintiff is informed that absent exigent circumstances, no additional extensions of**
13 **time will be granted.**

14
15
16 IT IS SO ORDERED.

17 Dated: September 10, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE